

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

FRICKCO INC.,

Plaintiff,

vs.

CASE NO. 10-10626
HON. LAWRENCE P. ZATKOFF

NOVI BRS ENTERPRISES, INC. and
ROBERT CVETKOVSKI,

Defendants.

ORDER DISMISSING PLAINTIFF'S COMPLAINT

On February 2, 2010, Plaintiff filed a putative class action against Defendants for violations of the Telephone Consumer Protection Act. On May 25, 2011, the Court entered its Order denying Plaintiff's Motion to Certify Class. Plaintiff sought reconsideration of this Order, which the Court denied on August 3, 2011. Since that time, nothing has been filed in this case and Defendant has failed to timely answer the complaint. On May 23, 2012, the Court ordered Plaintiff to show cause, no later than May 25, 2012, as to why this case should not be dismissed for failure to prosecute. The Court warned Plaintiff that failure to respond may result in the dismissal of this case.

As of the date of this Order, Plaintiff has failed to respond to the Court's show-cause Order. Thus, the Court finds that Plaintiff is in direct violation of the Court's Order and appears to no longer be prosecuting this case. Accordingly, IT IS HEREBY ORDERED that Plaintiff's Complaint

is dismissed and this case is closed.

IT IS SO ORDERED.

S/Lawrence P. Zatkoff
LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

Dated: May 31, 2012

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on May 31, 2012.

S/Marie E. Verlinde
Case Manager
(810) 984-3290